



CITY OF TUCSON

ZONING EXAMINER AGENDA REPORT Planning and Development Services

Zoning Examiner Meeting Date:	April 27, 2017
Project Name:	22 nd & Houghton PAD
Project Number:	C9-17-02
Request:	New grocery and department store anchored shopping center
Discretionary Actions:	Rezoning from SR to PAD
STAFF RECOMMENDATION:	RECOMMEND APPROVAL
Location:	Northeast corner of 22 nd Street and Houghton Road
Address:	10325/10395 E. 22 nd Street
Parcel:	133-38-008J; 133-38-008F
Applicant/Property Owner:	Twenty-Second Baptist Church of Tucson
Representative:	Linda Morales – The Planning Center
Project Planner:	John Beall John.Beall@tucsonaz.gov
Mayor & Council Hearing Required?	Yes
Report Approval:	<input checked="" type="checkbox"/> Manjeet Ranu, AICP, Director <input checked="" type="checkbox"/> Lynne Birkinbine, Deputy Director
Recommended Actions:	1. Conduct the public hearing; and 2. Recommend approval, subject to conditions.

SUMMARY AND KEY CONSIDERATIONS

This is a request to rezone approximately 16.3 acres from SR (Suburban Ranch) to PAD (Planned Area Development) zoning. The preliminary development plan proposes a Fry's Food and Drug Store at 99,918 square feet, with an associated fuel station and kiosk; also proposed are two retail buildings at 12,000 square feet and 6,500 square feet.

Major issues for this case are whether requested rezoning is in compliance with the Houghton East Neighborhood Plan, and whether the proposed commercial project is a compatible land use at this location.

Staff finds the request is in compliance with adopted plans, policies, and regulations. The proposed project is located at the intersection of two arterials, Houghton Road and 22nd Street. The *Houghton East Neighborhood Plan* allows nonresidential land use, such as community commercial, neighborhood commercial and office at the northeast corner of Houghton Road and 22nd Street. The proposed project meets the building height restriction of 26 feet, and the consolidated open space requirement for community commercial uses at 25 percent. Three of the four corners at this intersection are already zoned commercial. The project will provide a common theme and unifying design elements throughout the property site. Buildings will be compatible with existing Southwestern architectural styles and building materials of adjacent land uses, with four-sided architecture. The perimeter of the site will include substantial consolidated open space areas to provide visual diversity and interest, as well as buffering to the north and east. The project's landscaping along Houghton Road and 22nd Street will be linked to street landscaping improvements helping create a continuous area on undisturbed open space. This project is an appropriate automobile-oriented land use located at the intersection of two cross-town arterial roadways, while also incorporating context sensitive architectural design and landscape buffering features that are evocative of the natural landscape character intended by the *HENP*.

The Zoning Examiner is asked to forward a recommendation to Mayor and Council regarding the proposed rezoning.

PROJECT DESCRIPTION

The proposed project consists of an anchor Fry's grocery and department store, offering groceries, furniture, apparel, expanded meat counter and dining areas, pharmacy, with a single drive-through lane, and a potential outdoor display area where products could be displayed in a vestibule with doors that would remain open during store operated hours. The Fry's will have an associated fuel station and kiosk, with nine fuel pumps and 18 fueling locations. The fuel station will operate twenty-four hours, seven days a week, however the kiosk will only be operated during normal business hours. There will also be two other commercial retail pads at 12,000 square feet and 6,500 square feet. The project is proposing twenty-five percent consolidated open space that will be along the perimeter of the site, with the larger areas along the north and east perimeters to also serve as a buffering for adjacent residential uses. There will be two pedestrian paths from Houghton Road onto the site in which these paths will provide at least 65 to 70% shade during the major part of the day with canopy trees or other shading devices. The project site will have two access points onto Houghton Road, and two access points onto 22nd Street.

PROJECT ANALYSIS

Background

Houghton East Neighborhood Plan: Mayor and Council on March 8, 2016 approved and adopted Resolution No. 22541 to allow a maximum building height increase of 26-feet for non-residential uses at the northeast corner of Houghton Road and 22nd Street.

Previous Cases on the Property: none

Related Cases:

C9-07-18 S & L Real Estate Development LLC – Houghton Road, SR to C-1 This was a rezoning request for approximately 8.97 acres located directly south of the subject rezoning at the southeast corner of 22nd Street and Houghton Road to allow the development of a one-story, multi-use facility with approximately 45,600 building square footage that includes administrative and professional offices, medical offices, a financial institution, food service, and retail uses. The project allowed a maximum building height of 24 feet. On January 8, 2008, Mayor and Council approved and authorized the request for rezoning. The ten-year time limit to implement and effectuate all Code requirements and conditions of rezoning is January 8, 2018.

Project Site Characteristics:

Plan Tucson, Future Growth Scenario Map:	Neighborhoods with Greater Infill Potential
Area and Neighborhood Plan:	Houghton East Neighborhood Plan
Area and Neighborhood Land Use Designation:	Non-Residential Uses
Zoning District:	SR
Zoning Overlay:	<i>Major Streets & Routes</i> - Scenic Route
Other Key City Plan:	None

The proposed site consists of two rectangular parcels totaling approximately 13 acres. Both Houghton Road and 22nd Street are identified as arterials on the *Major Streets & Routes Plan*. Houghton Road is designated as a scenic arterial street with a projected width of 200 feet. 22nd Street has a projected width of 150 feet, and provides east-west connectivity across Tucson, with an interchange at I-10. The rezoning site has approximately 600 feet of frontage on Houghton Road and approximately 1200 feet of frontage along 22nd Street. The Houghton Road Corridor is a six-lane roadway south of Speedway Boulevard to I-10 (three lanes in each direction) with improved intersections and new signalization, bike lanes, sidewalks and multi-use path along the east side of the corridor, bus pullouts and transit options, and landscaping that maintains the scenic corridor. A bus pullout is planned at the northeast corner of Houghton and 22nd.

The existing SR zoning on the site is inconsistent with the non-residential land use policy direction designated for the site in the *HENP*.

Adjacent Area:

Direction	Zoning District	Land Use
North	RX-1	Residential
South	SR and RX-1	Residential
East	RX-1	Residential
West	C-1 and R-1	Commercial and Residential

Three of the four corners of the Houghton /22nd intersection have commercial zoning: northwest and southwest corners are zoned C-1, with the southeast corner currently authorized for C-1

zone (a commercial retail project). Immediately to the north and east of the rezoning site is low density residential development.

Plan Tucson Consistency

Plan Tucson Policy	Explanation of Project Conformance
'Neighborhoods with Greater Infill Potential'	The proposed rezoning is identified in <i>Plan Tucson</i> Future Growth Scenario Map as 'Neighborhoods with Greater Infill Potential' which are neighborhoods that have potential for new development and redevelopment in the next several decades. These types of infill projects are characterized by providing goods and services needed in daily life such as a variety of housing types, grocery stores and other retail and services. <i>Plan Tucson</i> supports infill that provides a more connected, integrated pattern of land use, and while existing neighborhoods are not places identified for more intensive growth, to maintain their stability these neighborhoods will require ongoing investment in infrastructure and goods and services. <i>Plan Tucson</i> supports commercial development at the intersections of arterials.
LT28.2.4 and LT28.2.5 Support community commercial, neighborhood commercial and office uses located at the intersections of arterial streets, arterial and collectors, or collector street intersections.	The proposed project is located at the northwest corner of two arterial streets; Houghton Road is a six-lane roadway south of Speedway Boulevard to I-10.

Plan Tucson Policy	Explanation of Project Conformance
<p>LT28.2.13 Support infill and redevelopment projects that reflect sensitivity to site and neighborhood conditions and adhere to relevant site and architectural design guidelines.</p>	<p>The proposed project is providing 25% consolidated open space along the perimeter of the site which provides a buffer to the residential uses to the north and east, while helping to maintain suburban feel along Houghton and 22nd. The design varies the open space / landscape border along the north perimeter, which has a width between 40 to 110 feet and runs the entire length of the northern property line, 1,200 feet, and the eastern perimeter has a width between 60 to 95 feet and runs the entire length of the eastern property line, 600 feet.</p> <p>All new development within the PAD District will provide architectural design that is of visual interest consistent with the area's identity, character, and scale. Architectural treatment, similar to that provided to the front façade, shall be provided to the sides and rear of the building to mitigate any negative view from adjacent properties and/or streets.</p> <p>The PAD document outlines the project's design goals of:</p> <ul style="list-style-type: none">• The establishment of a common theme and design elements throughout the property to be reviewed and approved by the PAD Design Review Committee (DRC)• Provide transitions at the edges of the property• Ensuring compatibility with existing Southwestern architectural styles and building materials of adjacent land uses <p>The PAD District will have a DRC that will consist of 3 members: one (1) from the developer team, one (1) member from the property consultant team, and one (1) member from the surrounding neighborhoods and/or neighborhood associations. A self-certification letter of approval by the DRC will be provided to the City of Tucson at the time development package submittal advising that the development conforms to the 22nd and Houghton PAD Design Guidelines.</p>

Plan Tucson Policy	Explanation of Project Conformance
LT28.2.14 Protect established residential neighborhoods by supporting compatible development, which may include other residential, mixed-use infill and appropriate nonresidential uses.	<p>The PAD will use the C-1 zone designation for its base zone which provides for low-intensity, commercial and other uses that are compatible with adjacent residential uses.</p> <p>PAD prohibits the following uses: adult rehabilitation, cemetery, golf course, large retail establishment, shelter care, wireless communication towers, and multifamily residential.</p> <p>The project provides for building setbacks along the north perimeter that range from 113 to 165 feet, and along the east perimeter it is 127 feet.</p> <p>Delivery trucks are required to automatically turn off after two minutes. All truck idling is prohibited within 300 feet of residential properties. Trucks will not be left idling between the hours of 6:00 pm and 6:00 am</p> <p>The grocery store loading area will be depressed 4-feet and screened with a 9-foot wall for a total screen of 13 feet. All unloading will be inside the loading dock.</p> <p>Fuel station located along the Houghton frontage away from the eastern perimeter</p>
LT28.1.10 Consider special zoning districts, such as Planned Area Development (PAD) to foster mixed-use activity nodes, pedestrian and transit-oriented development areas, and pedestrian-oriented districts in areas suitable for redevelopment or enhancement.	Rezoning proposed a PAD Zone to help foster a commercial activity node at the intersection of Houghton Road and 22 nd Street that is more effective at facilitating compatibility and context sensitive design than simply using the base zoning.

Neighborhood Plan Consistency

Houghton East Neighborhood Plan Goal or Policy	Explanation of Project Conformance
Goals 1. Ensure superior site design in new development which preserves open space, addresses drainage and erosion considerations, and protects existing residential uses.	Project provides 25 percent consolidated open space around the perimeter of the site, with open space augmenting the TDOT landscape improvements of the Houghton Road Greenway and 22 nd Street. Grading will direct runoff overland within property with underground retention system, with water harvesting techniques to capture runoff for later use. PAD provides for architectural guidelines and review, with large building setbacks, from the north 113-165 feet, and from the east 127 feet.

Houghton East Neighborhood Plan Goal or Policy	Explanation of Project Conformance
Goals 2. Develop a compatible mix of suburban and low-density residential uses with supportive neighborhood services, while protecting the integrity of existing neighborhoods.	Proposed project will provide for neighborhood services such as a grocery store, pharmacy, retail services, gas station, etc, with the PAD using the C-1 zone as a base zone while limiting uses to lower intensity types.
Nonresidential Development 1.A. Locate nonresidential uses only at the intersections of Houghton Road with Broadway and 22 nd Street.	HENP allows neighborhood commercial, community commercial, and office at the northeast corner of Houghton/22 nd . The proposed project is a commercial shopping center that can serve both the immediate neighborhood and a market population greater than a 3-mile radius. It is consistent with the non-residential land use designated for the site.
Nonresidential Development 2.D. Restrict nonresidential uses to 20 feet in height except at the northeast corner of Houghton Road and 22 nd Street where maximum height allowed is 26 feet.	The PAD restricts maximum building height to top of roofline to 26 feet for the anchor grocery store, with a 4 foot parapet; and all other retail buildings limited to 20 feet top of roofline, with ultimate height of 30 feet for ornamental features, functional elements and 26 feet for mechanical equipment.
Nonresidential 4.C. Require neighborhood commercial or office uses to retain 20 percent of the site as consolidated open space.	Project proposes 25 percent consolidated open space.
Nonresidential 4.D. Require community commercial uses to retain 25 percent of the site as consolidated open space.	Project proposes 25 percent consolidated open space.
Goal – Integrate new development with the Saguaro National Monument and Monument Buffer.	The proposed rezoning is approximately two miles away from the Saguaro National, and one mile outside the Monument Buffer which ends at Melpomene Road. The proposed project will follow the City's dark-skies ordinance and enhance natural open space areas.

Unified Development Code Zoning

The PAD will use the C-1 zone designation for its base zone which provides for low-intensity, commercial and other uses that are compatible with adjacent residential uses. The PAD makes the following modifications to the C-1 base zone which are typical of and consistent with the marketing model for newer anchor grocery stores by adding:

- 18 fuel dispensing locations for the fuel station (C-1 only allows 12 fuel dispensing locations)
- Outdoor display and sales within the vestibule of the grocery store and at the fuel station kiosk (C-1 does not allow outdoor display).
- PAD prohibits the following uses: adult rehabilitation, cemetery, golf course, large retail establishment, shelter care, wireless communication, and multifamily residential.

The customized zoning in the PAD allows for a “hybrid” neighborhood commercial and community commercial center that will service both the immediate neighborhood and a larger market area. The proposed commercial uses are consistent with serving a local neighborhood and a broader community market population, given its proximity on the Houghton Road regional corridor, and is proportional in scale to the transportation improvements that have been made to Houghton Road.

PUBLIC NOTICE AND PARTICIPATION

Public Notice

Mailed Notice of this public hearing was sent on March 24, 2017 to all property owners within 300 feet of the project site and to all registered Neighborhood Associations within a 1 mile radius, in compliance with UDC 3.2.4.C.1. Additionally, as a courtesy, as the case is to be continued from April 13, 2017 to April 27, 2017, the notice was posted at the City Clerk and on the Planning and Development Services Department’s website, with another mailed notice to all registered Neighborhood Associations within a 1 mile radius, a notice to those who have provided comments via email, and to those who spoke at the Mayor and Council and Planning Commission hearings (those speakers that provided an address or email). The applicant re-posted the rezoning site to reflect the continued Zoning Examiner public hearing.

Public Input

A neighborhood meeting was held on January 12, 2017 with 29 neighbors in attendance. The applicant presented project information and overview of PAD document. The discussion included topics and issues such as building and loading setbacks, size of grocery store, questions about the other Fry’s store, how trucks will deliver, hours of operation, buffer areas and other project questions. Key outstanding issues of the protests to the rezoning include concerns about scale, intensity, and differing opinions on conformance with the *HENP*. There is also support for the project from the public because there is a want for more of these types of services in the area, and a belief that the proposed location is appropriate.

DISCUSSION

Plan Tucson

Plan Tucson supports infill projects that reflect sensitivity to the site and neighborhood conditions. The proposed project provides significant open space areas along the perimeter of the site totaling 25 percent of the site acreage. The project has large building setbacks from the north and east property line, with buildings designed with four-sided architecture. Loading docks will be enclosed. The rezoning site is located at the intersection of two arterials, Houghton Road and 22nd Street. With the exception of the northeast corner, this intersection has existing commercial zoning on all corners. The proposed project will provide goods and services both to the immediate neighborhood and a larger market area given its proximity on the Houghton Road regional corridor. The project is consistent with *Plan Tucson* because the location is appropriate for this automobile-oriented land use, and it incorporates context sensitive design and buffering features.

Houghton East Neighborhood Plan

HENP identifies on its Land Use Concept Map that nonresidential uses, such as community commercial, neighborhood commercial and office, are allowed at the northeast corner of Houghton Road and 22nd Street. The project is proposing a ‘hybrid’ commercial development of

community and neighborhood commercial uses, because as a grocery and department store anchored center, it provides neighborhood services while its scale and location on two cross-town arterials support community commercial service needs.

The *HENP* calls for new development to provide superior site design that preserves open space and protects existing neighborhood residential uses. The proposed project is providing 25 percent open space which meets the nonresidential requirement for community commercial uses, with perimeter open space having widths varying between 40 to 110 feet. The project's consolidated open space when combined with the proposed right-of-way landscaping along Houghton Road and 22nd Street meets the intent of the *HENP*'s definition in creating a sufficient size area for visual diversity and interest that will be linked to other open space areas and create a continuous area around the site of undisturbed natural / enhanced vegetation to keep in character with the suburban/rural character of the area. The proposed project meets the 26 foot building height restriction.

Planned Area Development Zone

The purpose of the PAD Zone is to enable and encourage comprehensively planned development in accordance with adopted plans and policies. The PAD document allows the flexibility to tailor land uses, development standards and design to a project's needs, allowing the project to fit with any site constraints, and be more compatible with existing neighborhoods. The PAD uses the C-1 zone as a base zone which is a zone that provides for low-intensity commercial and other uses that are compatible with adjacent residential uses, while still allowing for larger scale development.

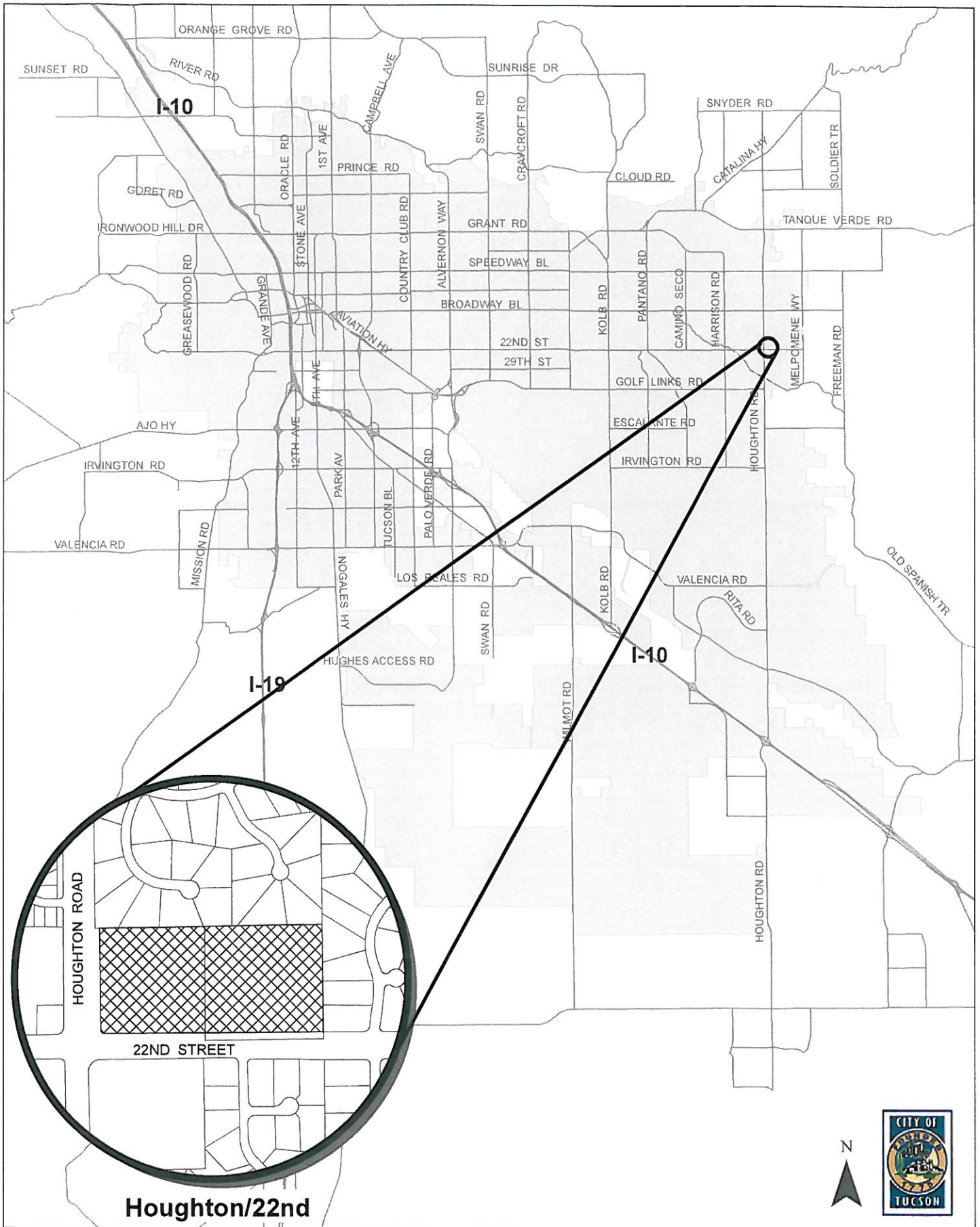
The PAD then modifies the C-1 base zone to further restrict C-1 uses. This custom zoning has resulted in a 'hybrid' neighborhood commercial and community commercial zone which is appropriate for a site that fronts the Houghton Road regional corridor and is sensitive to adjacent residential development.

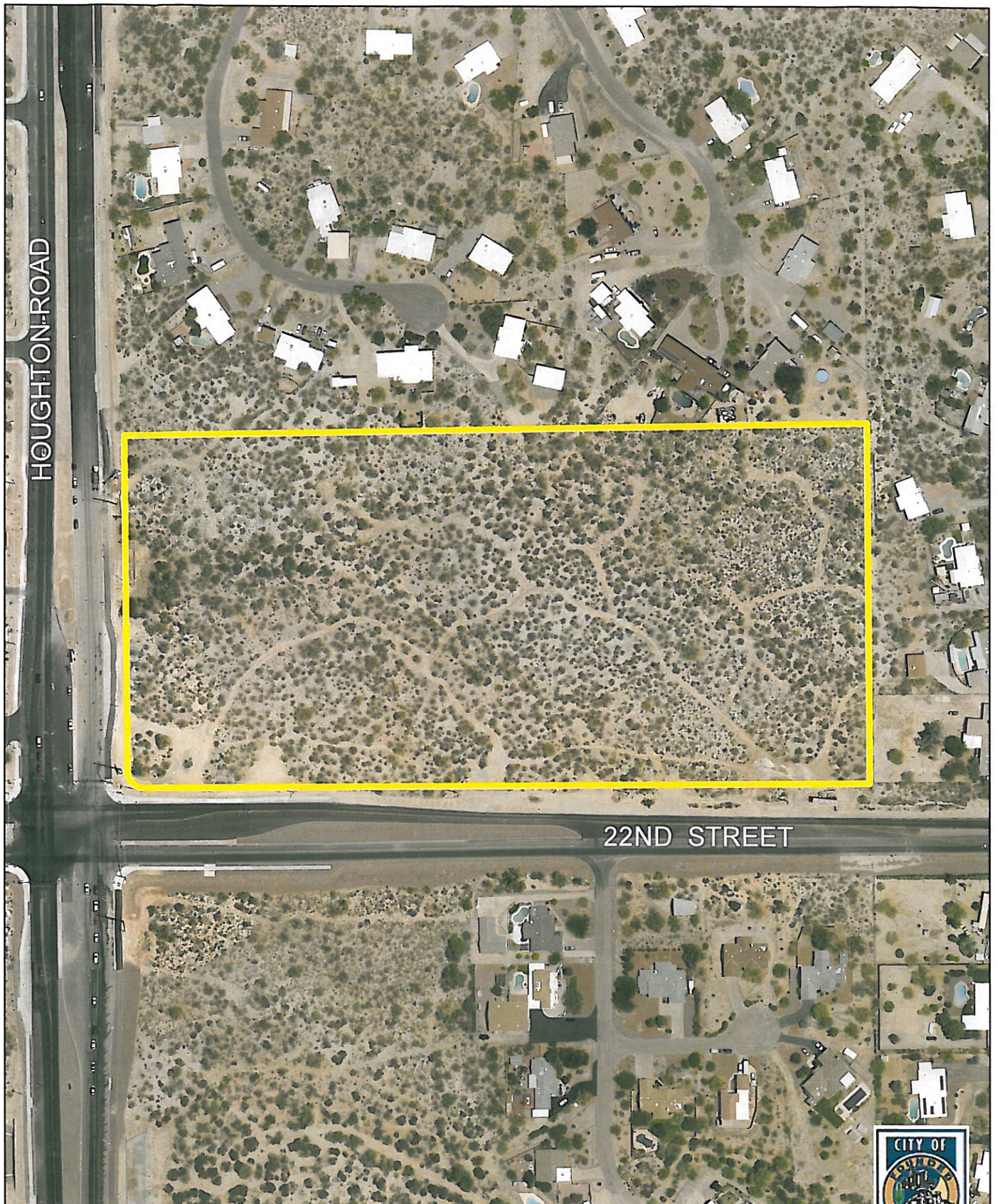
The PAD document allows the applicant the flexibility to create project design guidelines and a design review committee to ensure a superior site design and architectural quality. The proposed project will include a common theme and design elements throughout the property that will unify streetscape design, signage, materials, colors and architectural styles and will be reviewed and approved by the design review committee. The design review committee will include one member from the surrounding neighborhoods. Projects will be required to submit a letter of approval from the design review committee to the City of Tucson at the time of development package submittal.

CONCLUSION

The request to rezone the site to a PAD meets the purpose and intent of a PAD zone, and is consistent with the land use direction provided by both *Plan Tucson* and the *Houghton East Neighborhood Plan* which support nonresidential uses at arterial intersections, as Houghton Road and 22nd Street. The PAD document serves as the rezoning conditions for the proposed project, therefore no additional conditions are recommended for the 22nd and Houghton PAD. This project is an appropriate automobile-oriented land use located at the intersection of two cross-town arterial roadways, while also incorporating context-sensitive architectural design and landscape buffering features that are evocative of the natural landscape character theme intended by the *HENP*. Approval of the requested PAD zoning is appropriate.

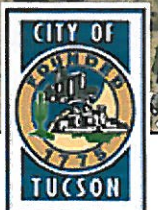
C9-17-02 Houghton/22nd PAD - 22nd Street



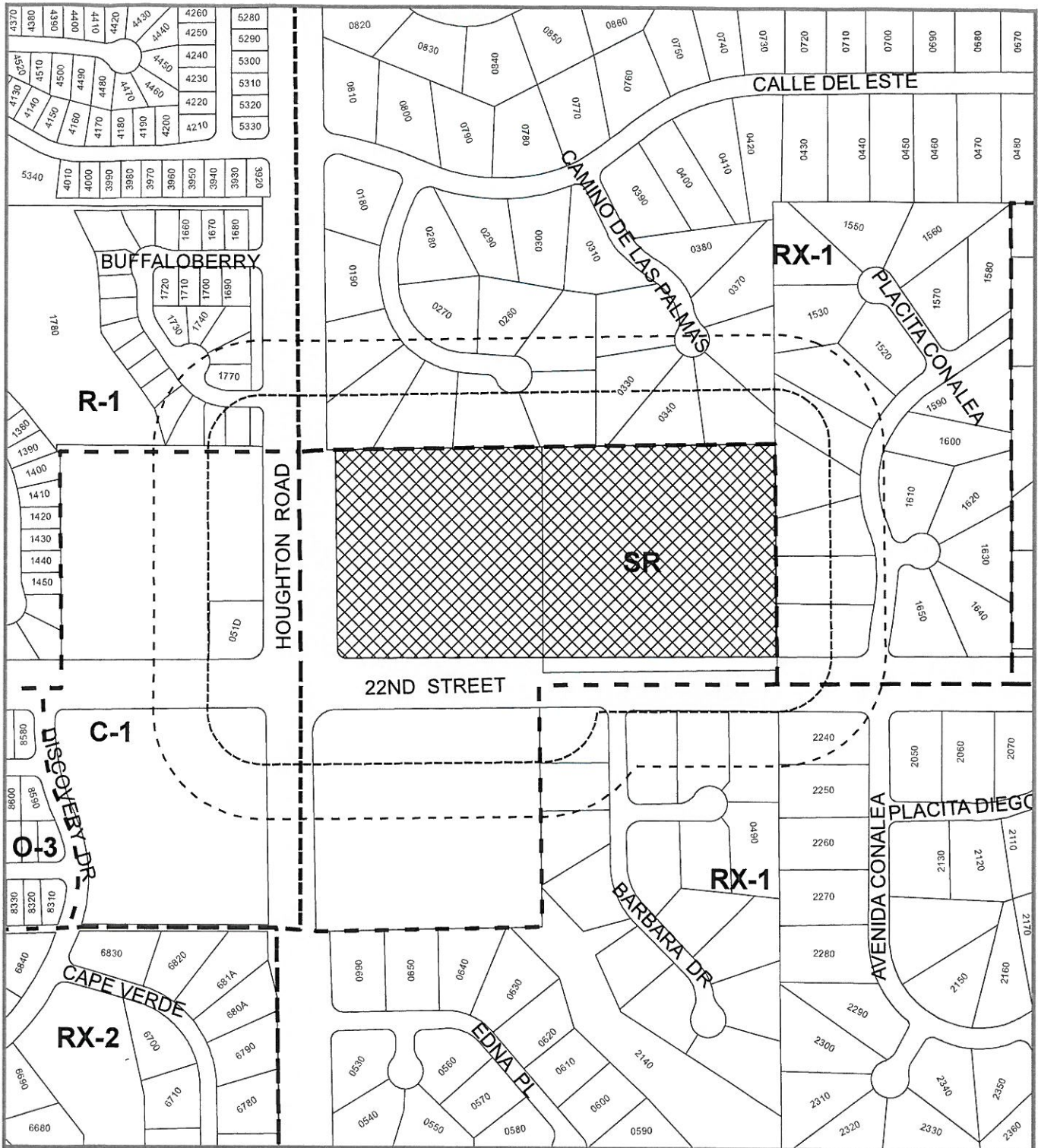






C9-17-02 Houghton/22nd PAD - 22nd Street
2016 Aerial

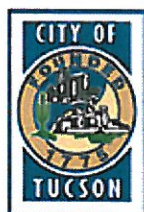
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Feet
1 inch = 200 feet



C9-17-02 Houghton/22nd PAD - 22nd Street Rezoning Requets: from SR to PAD



-  Area of Plan Amendment
-  150' Protest Area
-  300' Notification Area
-  Zone Boundaries



Address: 10395 E. 22nd Street
Base Maps: Sec.13 T.14 R.15
Ward: 2

0 200 400
Feet
1 inch = 400 feet





Approval – Protest Form

If you wish to submit a written protest or approval, this form is provided for your convenience. Please print your comments below, sign your name, and mail to the Rezoning Section of the Planning and Development Services Department at the address on the reverse side (you will need to attach postage). The number of approvals and protests along with protest calculations will be reported at the Zoning Examiner's public hearing.

Approvals and protests must have an owner's signature to be recorded.

If protests are filed from property owners representing 20% or more by area in any quadrant of the area located within a 150 foot radius of the parcel(s) on which the rezoning is proposed, an affirmative vote of $\frac{3}{4}$ of the Mayor and Council will be required to approve the rezoning ordinance.

**Case: C9-17-02 – 22nd & Houghton PAD – 22nd Street, SR to PAD
(Ward 2)**

I/We the undersigned property owners, wish to

- ☐ APPROVE the proposed rezoning.
☐ PROTEST the proposed rezoning.

Reason:

PLEASE PRINT YOUR NAME	PLEASE PRINT MAILING ADDRESS	PLEASE PRINT LEGAL PROPERTY DESCRIPTION		
		Subdivision	Block	Lot

Owner's Signature: _____ Date _____

Place
Stamp
Here

City of Tucson
Planning and Development Services Department
Rezoning Section JB
201 N. Stone
P.O. Box 27210
Tucson, Arizona 85726-7210

C9-17-02

Expose this flap - Affix stamp and return



City of Tucson
Planning and Development Services
Department -Rezoning Section JB
201 N. Stone Avenue
P.O. BOX 27210
Tucson, Arizona 85726-7210

C9-17-02

IMPORTANT REZONING NOTICE ENCLOSED

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